

Message Text

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INFO OCT-01 EUR-12 EA-07 IO-13 ISO-00 DHA-02 VO-03 SCA-01

INSE-00 SSO-00 CIAE-00 DODE-00 /041 R

DRAFTED BY D/HA/ORM:HBCUSHING:ND

APPROVED BY D/HA/ORM:JLCARLIN

EA/PRCM:MVON BRIESEN

EA:RHMILLER

EUR/NE:SWORREL

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O 232234Z JUL 76

FM SECSTATE WASHDC

TO AMCONSUL HONG KONG IMMEDIATE

AMEMBASSY LONDON IMMEDIATE

USMISSION GENEVA IMMEDIATE

INFO AMEMBASSY BANGKOK IMMEDIATE

AMEMBASSY TOKYO PRIORITY

AMEMBASSY TAIPEI PRIORITY

AMEMBASSY RANGOON PRIORITY

AMEMBASSY JAKARTA PRIORITY

AMEMBASSY MANILA PRIORITY

AMEMBASSY KUALA LUMPUR PRIORITY

AMEMBASSY SINGAPORE PRIORITY

C O N F I D E N T I A L STATE 183403

E.O. 11652: GDS

TAGS: SREF, VS

SUBJECT: INDOCHINESE REFUGEES: BOAT CASES MV AVA

REF: HONG KONG 8685

1. BOTH HK AFFAIRS OFFICE IN HOME OFFICE LONDON AND UK
EMBASSY HERE WERE INFORMED TODAY THAT DEPT GREATLY DIS-
TRESSED AT REPORT HKG WILL NOT PERMIT REFUGEES FROM AVA TO
LAND WITHOUT PRIOR COMMITMENT FOR THEIR RESETTLEMENT IN
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OTHER COUNTRIES. POSITION REPEATED IN STRONGEST TERMS THAT

WE SEE HKG REFUSAL AS LIKELY TO BECOME UNFORTUNATE PRECEDENT IN SEA, RIGHT AT CRITICAL MOMENT WHEN OTHER COUNTRIES ON SOUTH CHINA SEA LITTORAL AWARE OUR PAROLE PROGRAM ALMOST COMPLETED. WE ONCE AGAIN POINTED OUT THAT WE HAD AGREED TO CONSIDER 99 ON AVA BY COMBINATION OF EXPANDED PAROLE PROGRAM AND CONDITIONAL ENTRY, AND THAT BOTH FROM LEGAL AND POLICY STANDPOINT FIRM COMMITMENT WAS IMPOSSIBLE. WE PROMISED EARLIEST POSSIBLE PROCESSING OF REFUGEES' APPLICATIONS. ARGUMENTS ALREADY USED BY CONGEN PARA 2 REFTTEL WERE ELABORATED WHEN BOTH UK EMBASSY AND HOMOFF OFFICIALS RECITED LITANY THAT 1) HK FEARS IT WILL BE DUMPING GROUND; 2) UNHCR DID NOT PERFORM WELL IN 1975; 3) PROBLEMS WITH CHINESE COMMUNITY WILL BE AGGRAVATED. WE REQUESTED HERE AND LONDON THAT MATTER BE ELEVATED, SINCE WE ATTACH HIGHEST PRIORITY

TO IT AND EXPECT UNHCR SADRUDDIN AGA KHAN TO WEIGH IN PERSONALLY.

2. OUR REPRESENTATIONS, WE BELIEVE, RECEIVED A MEASURE OF SYMPATHY. UK EMBASSY AGREED TO REPORT OUR DEMARCHE PROMPTLY TO LONDON AND REFLECT USG CONCERN. LONDON REPORTS THAT SUBJECT IS TO BE DISCUSSED AT MINISTERIAL LEVEL MEETING MONDAY 26 JULY 76, AND THAT MEANWHILE UKG WILL REQUEST HONG KONG TO DELAY DEPARTURE OF AVA 24 HOURS.

3. THERE IS PLAINLY ONLY A LITTLE TIME AND ROOM FOR US TO CONTINUE PRESSURE IN LONDON, HONG KONG, AND GENEVA. IT IS LIKELY THAT IN ALL THOSE PLACES IT WILL BE PROPOSED THAT SINCE JAPAN HAS RECENTLY ADOPTED PRACTICE OF ALLOWING REFUGEES ASHORE FOR 30 DAYS UNDER UNHCR PROTECTION, AVA PROBLEM CAN HAVE PRACTICAL SOLUTION IN JAPAN. THAT COURSE OF ACTION UNDESIRABLE FROM OUR POINT OF VIEW, PRINCIPALLY BECAUSE PRECEDENT IN HK MAY LEAD TO CHANGE IN GOJ POLICY AND ALMOST CERTAINLY WILL AFFECT OTHER SEA GOVERNMENTS' PRACTICES. MOREOVER, OUR CONDITIONAL ENTRY PROGRAM DOES

NOT OPERATE IN JAPAN.

4. WE SEE THIS MATTER OF REFUSAL TO ALLOW BOAT CASES TO LAND AS SETTING DANGEROUS AND INHUMANE PATTERN OF TREAT-
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MENT OF LATER REFUGEE GROUPS WHO ATTEMPT TO FLEE FROM INDOCHINA AND WHO SEEK TEMPORARY ASYLUM. THE WHOLE PRINCIPLE OF POLITICAL ASYLUM IN EA WOULD BE PLACED IN JEOPARDY SINCE OTHER NATIONS COULD EASILY FOLLOW HONG KONG EXAMPLE. GENEVA SHOULD FOLLOW UP EARLIER CONVERSATIONS WITH HCR SADRUDDIN AGA KHAN URGING HIM TO TAKE ALL POSSIBLE MEASURES AT HIGHEST POSSIBLE LEVELS OF UKG AND HKG TO ACHIEVE LANDING OF SUBJECT REFUGEES IN HONG KONG.

5. UNDER THE CIRCUMSTANCES DEPT CONCURS IN CONGEN HONG
KONG SUGGESTION THAT HE MAKE FURTHER APPROACH TO ACTING
GOVERNOR. EMBASSY LONDON SHOULD ALSO CONTINUE PURSUE
MATTER VIGOROUSLY. ROBINSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REFUGEE RESETTLEMENT, MARINE TRANSPORTATION
Control Number: n/a
Copy: SINGLE
Draft Date: 23 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE183403
Document Source: CORE
Document Unique ID: 00
Drafter: HBCUSHING:ND
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760284-1012
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760725/aaaaawet.tel
Line Count: 120
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ORM
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 HONG KONG 8685
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 06 JAN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 JAN 2004 by morefirh>; APPROVED <06 Jan 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INDOCHINESE REFUGEES: BOAT CASES MV AVA
TAGS: SREF, VS
To: HONG KONG GENEVA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006